



AGENDA

Public Safety Committee Meeting

Wednesday, May 4, 2016 at 6:00 PM

City Council Chambers

405 N. Paseo de Oñate, Española, NM 87532

Please turn off
cell phones or
set to silent mode

A. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM

B. APPROVAL OF AGENDA

C. PUBLIC COMMENTS

PLEASE SIGN IN: Print first name and last including affiliation and/or address if applicable. Please keep comments to a three (3) minute time frame. Public comment log sheet is located upon southeast entry of the council chambers.

D. APPROVAL OF PUBLIC SAFETY COMMITTEE MEETING MINUTES

1. April 6, 2016

E. MATTERS FROM THE CHAIR

F. DISCUSSION/ACTION ITEMS

2. Discussion & Review of 2003 Tow Policy (per FY2014 Audit) -- Chair Martinez (*Discussion Item*)
3. Discussion of Grant Funding and Purchases -- Chief Gallegos or Designee (*Discussion Item*)
4. Discussion of Narcan Training and Purchase -- Chief Gallegos or Designee (*Discussion Item*)
5. SRT/Special Response Team Reinstatement Request -- Chief Gallegos or Designee (*Discussion Item*)

G. POLICE DEPARTMENT - Chief Gallegos or Designee

6. Statistics Reports for March 2016 (Police, Fire, Detention, PSA, Animal Control)

H. FIRE DEPARTMENT - Fire Deputy Chief Tafoya or Designee

7. Statistics Reports for March 2016

I. MUNICIPAL COURT - Judge Stephen Salazar

8. Statistics Reports for March 2016

J. NEXT MEETING -- (First Wednesday of month) *Tentatively June 1, 2016 at 6:00 PM*

K. ADJOURNMENT

The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter, or any other form of auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at 747-6019 at least three days prior to the meeting.

PUBLIC SAFETY COMMITTEE MEETING MINUTES
APRIL 6, 2016, 6PM
CITY HALL COUNCIL CHAMBERS
405 N. PASEO DE OÑATE ESPAÑOLA, NM

A. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM

Meeting called to order at 6:08 pm by Public Safety Committee Chair; Councilor Michelle R. Martinez.

The following in Attendance:

PSC Chair:	Michelle R. Martinez
PSC Members:	Manuel J. Martinez
	Adrianna Ortiz
	Dennis Tim Salazar (<i>absent</i>)

Interim City Manager Mark Trujillo—residing
Director of Public Safety Chief Gallegos—residing
City Clerk Anna Squires—residing
Public Safety Administrative Assistant Victoria Gallegos—(absent)

B. APPROVAL OF AGENDA

Agenda as Presented:

- *Begin* -

A. CALL TO ORDER / ROLL CALL / DETERMINATION OF QUORUM

B. APPROVAL OF AGENDA

C. PUBLIC COMMENTS

PLEASE SIGN IN: Print first name and last including affiliation and/or address if applicable. Please keep comments to a five (5) minute time frame. Public comment log sheet is located upon southeast entry of the council chambers.

D. APPROVAL OF PUBLIC SAFETY COMMITTEE MEETING MINUTES

1. February 3, 2016

E. MATTERS FROM THE CHAIR

2. Discussion of FY Audit Finding(s)

F. DISCUSSION/ACTION ITEMS

3. Less Lethal Weapons Policy Proposed Updates – Chief Gallegos (Action Item)
4. Discussion and Review of Current Towing Policy – Chair Michelle R. Martinez (Action Item)
5. Deputy Chief Position – Chief Gallegos (Discussion Only)
6. Drug Walk on April 9, 2016 – Chief Gallegos (Discussion Only)
7. Good Friday Summary – Chief Gallegos (Discussion Only)

G. POLICE DEPARTMENT - Chief Gallegos or Designee

8. Statistics Reports for January & February 2016 (Police, Fire, Detention, PSA, Animal Control)

H. FIRE DEPARTMENT - Fire Deputy Chief Tafoya or Designee

9. Statistics Reports for January & February 2016

I. MUNICIPAL COURT - Judge Stephen Salazar

10. Statistics Reports for January & February 2016

J. NEXT MEETING – (First Wednesday of month) Tentatively May 4, 2016 at 6:00 PM

K. ADJOURNMENT

The Governing Body may revise the order of the agenda items considered at this Open Meeting. If you are an individual with a disability who is in need of an amplifier, qualified sign language interpreter or any other form of an auxiliary aid or service to attend or participate in the hearing or meeting, please contact the City Clerk at (505) 747-6019 at least three (3) days prior to the meeting.

- *End* -

Municipal Judge Steven Salazar asked if he could be moved on the agenda to be heard after Item F. Discussion /Action Items. Motion by PSC Member Adrian Ortiz to approve the agenda as amended; 2nd by PSC Member Manual J. Martinez

Motion Carried 3-0

PSC Member Dennis Tim Salazar absent

C. PUBLIC COMMENTS

- None-

D. APPROVAL OF PUBLIC SAFETY COMMITTEE MEETING MINUTES

1. February 3, 2016

Motion by PSC Member Adrian Ortiz to approve the February 3, 2016 Public Safety Committee Minutes; 2nd by PSC Member Manual J. Martinez

Motion Carried 3-0

PSC Member Dennis Tim Salazar absent

E. MATTERS FROM THE CHAIR

2. Discussion of FY Audit Finding(s)

Public Safety Committee Chair; Councilor Michelle R. Martinez stated that during a March 30th, 2016 Audit Exit Conference finding were revealed pertaining to the Towing and Wrecker Services Policy.

F. DISCUSSION/ACTION ITEMS

3. Less Lethal Weapons Policy Proposed Updates – Chief Gallegos (Action Item)

Chief Richard Gallegos presented the proposed updates for a less lethal weapons policy.

Motion by PSC Member Adrian Ortiz to approve the Less Lethal Weapons Policy as amended; 2nd by PSC Member Manual J. Martinez. Public Safety Committee Chair; Councilor Michelle R. Martinez requested that after the policy was passed at PS Committee, it be forwarded to the City Attorney for legal review prior to the presentation at Full Council.

Motion Carried 3-0

PSC Member Dennis Tim Salazar absent

4. Discussion and Review of Current Towing Policy – Chair Michelle R. Martinez (Action Item)

Public Safety Committee Chair; Councilor Michelle R. Martinez stated that until recently upon discovery and confirmation from the City Clerk, Towing and Wrecker Services Policy No. 50.1 was not effective as the policy was never addressed at full council. She further stated that Towing and Wrecker Services Policy from 2003 was approved by the governing body as the legal minutes of record revealed the adoption by the governing Body at the time.

City Clerk Anna Squires stated that previously it was a misconception that policy was passed at a committee level. She further stated that several other policies were thought to have passed but were not legally in effect. CC Squires clarified her statement; citing policy must be approved by the

governing body by a vote of majority.

Public Safety Committee Chair; Councilor Michelle R. Martinez stated that she wanted to address the finding(s) revealed within the FY2013 Audit in an effort to rectify any potential finding with the upcoming FY2015 Audit. She stated that by no means was she trying to request additional business to the rotation list as it was up to the Director of Public Safety to place suitable towing companies, abiding by state laws and regulation within the rotation list.

Public Safety Committee Chair; Councilor Michelle R. Martinez reviewed PRC rules and regulation with the PS Committee, she requested that the current policy 20003 Towing and Wrecker Services Policy be incorporated with the Towing and Wrecker Services Policy No. 50.1 and be brought back to the committee for review and approval to move towards legal review and full council(s) consideration for adoption. Chief Richard Gallegos and Sgt. Daniel Espinoza replied the affirmative.

Motion by PSC Member Adrian Ortiz move current policy 20003 Towing and Wrecker Services Policy incorporated with the Towing and Wrecker Services Policy No. 50.1 back to the committee for review at the next PS Committee Meeting; 2nd by PSC Member Manual J. Martinez.

Motion Carried 3-0

PSC Member Dennis Tim Salazar absent

5. Deputy Chief Position – Chief Gallegos (Discussion Only)

Chief Richard Gallegos stated that interviews for the Deputy Chief Position took place earlier in the day and would be looking over the results with HR Director Sally Baxter as well as ICM Mark Trujillo.

6. April 9, 2016 Walk Against Drugs– Chief Gallegos (Discussion Only)

Chief Richard Gallegos yielded the floor to Randell Deaguero. Mr. Deaguero stated that he had been working closely with Municipal Court Outreach Coordinator Richard Marquez to coordinate the April 9, 2016 April 9, 2016. He further stated that the group would be gathering at the San Juan Church at 7:30am.

7. Good Friday Summary – Chief Gallegos (Discussion Only)

Chief Richard Gallegos yielded the floor to Sgt. Daniel Espinoza who stated that there were three (3) arrests conducted on the Good Friday Holiday. Sgt. Espinoza further stated that collaboration with other public safety entities ensured the success and safety of the pilgrimage.

I. MUNICIPAL COURT - Judge Stephen Salazar

11. Statistics Reports for January & February 2016 (previously moved after Item F. on the agenda)

Municipal Court Judge Salazar reviewed the Statistics Reports for January & February 2016 presented within PSCM packet material(s)

G. POLICE DEPARTMENT - Chief Gallegos or Designee

12. Statistics Reports for January & February 2016 (Police, Fire, Detention, PSA, Animal Control)
Sgt. Daniel Espinoza reviewed the statistics reports for January & February 2016 to include Police, Fire, Detention, PSA, and Animal Control presented within PSCM packet material(s).

H. FIRE DEPARTMENT - Fire Deputy Chief Tafoya or Designee

13. Statistics Reports for January & February 2016

Deputy Fire Chief Tafoya reviewed the statistics reports for January & February 2016 presented within PSCM packet material(s).

J. NEXT MEETING – (First Wednesday of month) Tentatively May 4, 2016 at 6:00 PM

K. ADJOURNMENT

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Motion to Adjourn Motion by PSC Member Adrian Ortiz to adjourn the 4-6-2016 PSCM; 2nd by PSC Member Manual J. Martinez.

Meeting adjourned at 7:06 pm

ADOPTED AND APPROVED by the Public Safety Committee of the City of Española this 4th day of May, 2016.

Public Safety Committee Chair - Councilor Michelle R. Martinez

ATTEST: _____
 City Clerk, Anna Squires

STATE OF NEW MEXICO
City of Espanola
Schedule of Findings and Responses
June 30, 2014

Schedule IV
Page 11 of 12

FS 2012-005 Noncompliance with Related Parties Transactions (Other Matter) (Repeat/Modified)

Condition: During our test work of related parties transactions, we noted that the City was not in compliance with related parties' transactions as follows:

- In 1 out of 2 instances, no quotes were obtained for vehicle maintenance. The dollar amount associated with this transaction totaled 1,797.67.
- In 1 out of 2 instances, a voucher was used instead of a P.O. for an insurance claim related to replacing a hood for a vehicle. The dollar amount associated with this transaction totaled \$3,048.15.

We noted in fiscal year 2014 the City had not updated their policies regarding conflict of interest disclosure statements and had not updated its procurement policies with respect to insurance claims and instances where the dispatch center procures tow-truck and vehicle maintenance services on behalf of the City.

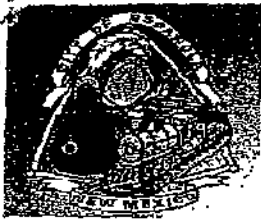
Criteria: Section 10-16-3 NMSA 1978 states that "Full disclosure of real or potential conflicts of interest shall be a guiding principle for determining appropriate conduct. At all times, reasonable efforts shall be made to avoid undue influence and abuse of office of public services".

Effect: Having ambiguous or unclear procurement and conflict of interest transactions heightens the risk of noncompliance with State Statutes and the risk of management override and abuse.

Cause: The City has not reviewed their policies to ensure procurement policies are clearly defined, understandable, and do not conflict with other policies. Also, the City has not updated their procurement and conflict of interest policies to ensure compliance and conformity with State Statutes.

Auditors' Recommendations: The City should update their policies to coincide with State Statutes and the Governmental Conduct Act, and ensure that policies are clearly defined, understandable, and complete.

Agency's Response: Management of the City will work to update policies that are ambiguous or conflicting to make them more clear and understandable for City employees and management to follow.



City of Española
Police Department
Chief Richard A. Gullen

Richard L. Lucero, Mayor
Ray Wolf, City Manager
Renee G. Ancholeta, City Clerk
405 Paseo De Oñate, Española, NM 87532
505-747-6100 Fax: 505-747-6113

411 North Paseo de Oñate
Española, NM 87532
505.747.6002 Fax: 505.747.6059

7003

Towing and Wrecker Service Policy

I. Purpose

- A. This Standard Operating Procedure establishes the policy and procedure of the Española Police Department concerning the relationship of its members and employees with vehicle wrecking companies, tow-truck operations, and/or their employees.
- B. Strict adherence to this Standard Operating Procedure is expected and required by all personnel of this department. To do otherwise could bring discredit on the Police Department and will subject any offending member or employee to disciplinary action.

II. Policy

- A. Request for wrecker service by any member or employee acting in an official capacity shall be restricted to the wrecker on call in accordance with the wrecker rotation log, unless a vehicle owner or operator of a vehicle to be towed requests wrecker service from a specific company. (Known as an owner's request).
- B. Under no circumstances will any officer or employee recommend or suggest that the owner or operator of a vehicle being towed utilize any specific wrecker company or tow-truck operator.

III. Procedure

- A. When a vehicle operator is taken into custody and his/her vehicle is to be towed, the arresting officer will request the next wrecker on line according to the wrecker rotation log maintained in the communications division.

B. When a disabled vehicle is to be towed, as from the scene of a motor vehicle crash, the officer shall ask the owner/operator of the vehicle if they prefer any specific towing company to tow their vehicle. If none is specified, the officer shall only request the next wrecker in line according to the wrecker log maintained in the communications division, unless the vehicle operator or owner initiates a request for a specific wrecker company.

1. In the event that more than one wrecker on rotation is needed, the officer will specify to dispatch the number of wreckers needed. The responding wrecker operator will be allowed to tow a vehicle on a "first to arrive, first to choose" basis. This will be done to prevent any discredit to the requesting officer or the department. The requesting officer will be responsible for advising dispatch the name of the towing service that towed each vehicle.

C. No member or employee of the Espanola Police Department will, by virtue of his/her employment or service in an official capacity, accept any consideration or gratuity from any wrecker company or its employees.

D. Before any vehicle is impounded due to reasons other than being involved in a motor vehicle crash, by owner's request, or by private property request, such impoundment must be cleared by the shift commander.

E. Once the radio dispatcher has notified the officer in the field of the name of the wrecker service dispatched, no other wrecker service should be allowed to tow the vehicle other than the next wrecker on rotation.

F. If a wrecker service is unable to respond or fails to respond to a call within 20 minutes, the next wrecker service on the rotation log will be called. The wrecker service unable to respond will be placed at the end of the rotation log.

G. An authorized wrecker is only one which has been Dispatched through Espanola Police Dispatch as a "rotation list call" or at the specific request of the vehicle owner or operator. Wreckers that "happen to be passing by" are not permitted to solicit any of the owners or operators involved in the accident. Unauthorized wreckers at the scene may be used by the officer to clear the scene, this does not authorize them to tow the vehicle from the scene.

H. A report of towed vehicle (TOW SHEET) shall be completed by the requesting officer, containing a complete description of the vehicle, the signature of the wrecker driver and any pertinent information required by the officer. A carbon copy of the tow sheet shall be given to the wrecker driver to be attached to his bill of lading and the original copy shall be attached to the officer's report.

1. In all cases in which a vehicle is to be impounded, the investigating officer shall complete a full property inventory of the vehicle, to include the passenger compartment and all storage compartments. These inventories shall be conducted to ensure against the careless handling or theft of personal property from all impounded vehicles, to assure the safekeeping of any valuables or dangerous instrumentality's located in such vehicles, to protect officers from potentially dangerous items, to assure the community care-taking function by general protection of the public, and to prevent claims against department personnel for lost, stolen, or damaged property.
 - a. Closed containers shall be inventoried in ALL cases in which a vehicle is impounded and the contents shall be itemized on the inventory form.
 - b. Locked containers with a key or mechanism to allow entry without causing damage to the container or any contents shall be inventoried in ALL cases in which a vehicle is impounded. The contents shall be itemized on the impound form.
 - c. Containers in which no key or opening mechanism is available, and which cannot be opened without causing damage to the container shall not be opened, nor shall the contents be itemized for inventory purposes. The officer shall list the item as "one locked container and unknown contents" on the inventory form.
 - d. If the officer has probable cause to believe that the locked containers hold evidence or fruits of a crime, he/she must obtain a search warrant prior to opening the container. In this instance, the search is no longer for inventory purposes, but shall be based upon the facts and circumstances upon which probable cause must be developed.
 - e. Searches conducted for inventory purposes shall be conducted at the scene, prior to release of the vehicle to the towing company. In cases where officer safety is a concern, the vehicle may be towed to a safe location prior to inventory, however the investigating officer shall keep the vehicle in his/her sight until a safe location is reached.

- f. The officer(s) conducting the inventory shall complete an Espanola Police Department towing and impound form, taking care to note all items of personal property located in the impounded vehicle. He/she shall also make the towing/wrecker driver aware of any pre-existing damage to the vehicle, which will be noted on the tow sheet.
- g. The officer shall be responsible for any decision to store property of excessive value and/or of a dangerous nature separate from the impounded vehicle.
- h. A police "hold" may be initiated on a vehicle by authorizing the hold with a tow sheet boldly marked "HOLD" and signed by the officer and the wrecker driver. The tow sheet must include the reason for the "hold" and dispatch must also be provided this information. Prior to placing a vehicle on hold, the officer is required to obtain approval from a supervisor. If enforcement action has been taken, i.e.... citations issued, no hold shall be placed.

IV. Wrecker companies wishing to be placed on the department wrecker rotation log must submit a written request to the Chief. Only the Chief may approve or disapprove these requests. The Chief has the only authority to remove a towing company from the department wrecker rotation log. The Chief of Police shall reserve the right to limit the number of Wrecker Companies on the rotation log based upon the City of Espanola's population growth. Wrecker companies requesting to be placed on the department's wrecker log must have their storage lot located within the city limits of Espanola and the storage area must be fenced.

By order of the Chief of Police

Date: _____

Richard A. Guillen, Chief of Police

Reviewed and Approved by the Public Safety Committee
On this day of _____ of _____, 2003.

Carla A. Martinez, Public Safety Chairwoman

*Passed
City Council
Oct 7 2003
AT*

Drafted by Lieutenant Matthew Tafoya
July 30, 2003

TITLE: TOWING AND WRECKER SERVICES

CODIFIED: 50.1

EFFECTIVE: 09/01/09

PAGES: 6

PURPOSE

The purpose of this directive is to establish guidelines regarding the towing of vehicles for various legitimate purposes, such as vehicles in violation of provisions regulating stopping, standing or parking, stolen or abandoned vehicles, vehicles of arrested persons, and inoperable vehicles.

DISCUSSION

A variety of circumstances arise that require a vehicle to be towed by police personnel. In order to insure procedural and legal requirements are met, a uniform method is required. This procedure will outline the authority and process in meeting this need.

POLICY AND PROCEDURE

It is the policy of the Espanola Department to authorize the towing of vehicles when necessary as a matter of public safety, to protect property, to preserve evidence, and to remove abandoned vehicles from city streets and property.

50.1.01 A WRITTEN REPORT WILL BE SUBMITTED WHENEVER:

- A. A vehicle is towed or removed at the direction of an officer and shall reflect the time, date, location, requesting officer, reason for removal or tow, the towing service or wrecker company, the towed location of the vehicle and any attempts made to contact the registered owner when the situation deems it necessary.
- B. Exigent circumstances may exist which would prohibit notifying the owner(s) of a vehicle as to the location of their vehicle. Those incidents will be handled on a case by case basis. In those situations, the assigned detective/officer and Communications personnel will be notified so they may contact, or attempt to contact, the owner and make the necessary notification.

C. Prior to removal of any vehicle, attempts will be made to notify the owner, unless it is causing a traffic or safety hazard. If the owner is notified, a thirty (30) minute grace period will be given to accommodate the owner to have the vehicle removed. If for any reasons the owner of the vehicle takes longer than the thirty (30) minute grace period to remove the vehicle, and the vehicle is impounded, a vehicle impound form will be initiated by the officer and signed by the wrecker driver. Once the vehicle is impounded, the owner will be contacted immediately or as soon as reasonably possible, advising him of the vehicle's location. If the owner cannot be located a registered letter will be sent to the listed owner on the date of impoundment. A complete report will be initiated and turned into the on-duty supervisor.

D. If the owner cannot be located, and the vehicle is not causing a safety hazard, a registered letter will be sent (within 48 hours) to the last known owner of the vehicle as verified by a registration check through the New Mexico Department of Motor Vehicles. After waiting a thirty- (30) day period if the vehicle has not been removed, it will then be deemed abandoned and will then be towed (per N.M. State Statute 66-1-4.1, A, 1,2,3, and 4). Once the vehicle is impounded, another registered letter will be sent notifying the owner of the whereabouts of his/her vehicle. Every attempt to contact the owner prior to removal will be made. Once the owner is located, this information will be given to the owner and a supplemental report will be submitted. The registration inquiry and a copy of the registered letter will be retained and become part of the official police report.

50.1.02 VEHICLES WILL BE TOWED WHEN:

- A. They obstruct traffic and that based on exigent safety concerns must be removed to protect the public from harm.
 1. In these situations, the officer/PSA will check with a commander prior to towing the vehicle. Vehicles shall be impounded if no other means of removing the hazard are available.

- B. The vehicle has been stolen, abandoned, vandalized, involved in an accident to the extent that it is inoperable and/or it is in violation of traffic codes whereby it would be unsafe to allow the vehicle to be driven or operated.
- C. The vehicle is in the department's custody and is needed for evidence processing due to a hit-and-run accident or other criminal investigations.
- D. The driver has been incapacitated, hospitalized, arrested, taken into custody, or when the vehicle cannot be released to a responsible party.
- E. When circumstances exist where the vehicle was used in the commission of a felony and forfeiture proceedings will be initiated on said vehicle.
- F. Any time a vehicle is towed/impounded, the officer handling the incident shall complete an offense/incident report, along with the impound sheet, so there will be a record of the impoundment.

50.1.03 PROCEDURES FOR TOWING VEHICLES

- A. Requests for wrecker services will be restricted to the wrecker on call in accordance with the wrecker rotation schedule.
 - 1. This does not preclude owners or operators of vehicles from requesting a specific wrecker company or tow truck operator. Owners or operators will be verbally informed of their right to request a specific wrecker company or tow truck operator.
 - 2. This also applies to members of automobile clubs. Officers will be required to obtain membership information for wrecker requests.
- B. Under no circumstances will any officer or employee recommend or suggest that the owner or operator of a vehicle being towed utilize any specific wrecker company or tow truck service.
- C. No member or employee of the Espanola Police Department will, by virtue of his/her employment or service in an official capacity, accept any consideration or gratuity from any wrecker company, tow truck service or its employees.
- D. Officers, prior to authorizing the towing of a vehicle, will contact their respective on-duty commanding officer or supervisor and brief him/her as to the circumstances requiring the towing of the vehicle. The only exceptions to this rule are:
 - 1. When the vehicle is being impounded due to an accident, or arrest.
 - 2. At the request of a vehicle owner.
- E. Upon impoundment of a vehicle, the officer shall complete the following, ensuring that all pertinent information is included in the report (including date, time, location, requesting officer, reason for impoundment, name of the wrecker service responding, final location of the vehicle and a log of all attempts to contact the owner, indicating dates and times of all negative contacts, if the owner was not notified.)
 - 1. An offense/incident report shall be completed.
 - 2. Officers shall ensure that the impound sheet is filled out and a copy left with the wrecker driver after both the officer and the driver sign the impound sheet.
 - 3. If the owner or operator is present, a completed copy of the impound sheet will be given to the owner or operator. If the owner/operator has left or been removed from the scene, the officer will ensure that the owner/operator receives a copy of the form.
 - 4. The ignition key will be left with the vehicle. All other keys will be removed and given to the owner or operator, or placed in their property if they are arrested.
 - 5. Once E911 Dispatch personnel have notified the police officers in the field of the name of the wrecker service or tow service dispatched, no other wrecker service will be allowed to tow the vehicle.
 - 6. Exigent circumstances may occur which necessitate the immediate removal of a

vehicle from traffic, etc., and such situations will be treated on a case by case basis.

F. In all cases in which a vehicle is to be impounded, the investigating officer shall complete a full property inventory of the vehicle, to include the passenger compartment and all storage compartments. Those inventories shall be conducted to ensure against the careless handling or theft of personal property from all impounded vehicles, to assure the safekeeping of any valuables or dangerous instrumentality's located in such vehicles, to protect officers from potentially dangerous items, to assure the community caretaking function by general protection of the public, and to prevent claims against department personnel for lost, stolen, or damaged property.

1. Closed containers shall be inventoried in ALL cases in which a vehicle is impounded and the contents shall be itemized on the inventory form.
2. Locked containers with a key or mechanism to allow entry without causing damage to the container or any contents shall be inventoried in ALL cases in which a vehicle is impounded. The contents shall be itemized on the impound form.
3. Locked containers in which no key or opening mechanism is available, and which cannot be opened without causing damage to the container shall not be opened, nor shall the contents be itemized for inventory purposes. The officer shall list the item as "one locked container and unknown contents" on the inventory form.
4. If the officer has probable cause to believe that the locked containers hold evidence or fruits of a crime, he/she must obtain a search warrant prior to opening the container. In this instance, the search is no longer for inventory purposes, but shall be based upon the facts and circumstances upon which probable cause is developed.
5. Searches conducted for inventory purposes shall be conducted at the scene, prior to release of the vehicle to the towing

company. In cases where officer safety is a concern, the vehicle may be towed to a safe location prior to inventory, however the investigating officer shall keep the vehicle in his/her sight until a safe location is reached.

6. The officer(s) conducting the inventory shall complete a Espanola Police Department towing and impound form, taking care to note all items of personal property located in the impounded vehicle. He/she shall also make the towing/wrecker driver aware of any pre-existing damage to the vehicle, which can be noted on the impound form.
7. The officer shall be responsible for any decision to store property of excessive value and/or of a dangerous nature separate from the impounded vehicle.

G. If a wrecker service is unable to respond or fails to respond to a call within 30 minutes of being called, the next wrecker service on the rotation list will be called. The wrecker service unable to respond will be placed at the bottom of the list, and called by the dispatcher so that they may be advised of their "cancelled" status.

1. An officer or commanding officer may also cancel a wrecker due to reasons that it does not have the proper equipment, or the wrecker size is inadequate to safely remove the vehicle that is being towed.

50.1.04 VEHICLES TOWED FOR EVIDENTIARY PURPOSES

- A. In those cases that require a vehicle be processed for physical evidence, personnel shall take the necessary steps to process that vehicle at the scene, whenever practical.
- B. When vehicles belonging to victims or crime suspects must be towed, the following procedures apply:
 1. A police hold may be initiated on an impound form authorizing the hold with the proper copy of the impound boldly marked "HOLD" and signed by the officer and the wrecker driver. Prior to placing a vehicle on hold, the officer is required to obtain

- approval from a commander or supervisor. If/when the vehicle is released, the original towing company will be contacted, the vehicle will be picked up and taken to the towing company lot for release to the registered owner. The owner shall be responsible for towing fees only.
2. When the impounded vehicle is evidence or must be held for evidentiary examination, the vehicle will be towed to the Department's secured impound lot and secured against unauthorized entry and contamination. An investigations commander will be notified, if necessary. Evidence seals will be affixed to doors, windows, engine and trunk compartments. An evidence tag will be filled out for the impounded vehicle and its keys and shall be turned over to the property custodian.
 3. Vehicles held for the above purposes may only be released by a court order or with written authorization from the Office of the District Attorney.
 4. Any vehicle having a police hold placed on it by the investigating officer for reasons other than evidence or forfeiture shall be towed to the Espanola Police Department impound lot and the "Hold" status entered into the towing log. The hold must also be authorized by a commanding officer. The Commander must sign the wrecker impound form, along with the officer and the wrecker driver.
 5. The gates to the Espanola Police Department impound lot are to be locked at all times. Under no circumstances are they to be left unlocked or open.
 6. If the vehicle needs to be released from the "Hold" status due to exigent circumstances, and the officer who authorized the tow and placed the hold cannot be contacted to release the vehicle, the vehicle may be released by a supervisor in the investigating officer's chain of command.
 7. If a vehicle has been reported stolen, and is located by anyone other than the owner, the officer shall:
 - a. Process the vehicle for evidentiary purposes.
 - b. Ascertain if the vehicle is operable.
 - c. Barring exigent circumstances, the owner will be notified so that he/she may call a wrecker of his/her choice, pick up the vehicle personally, or make arrangements for the vehicle's removal. In the event that the owner(s) cannot be located, the officer will follow procedures in calling for a wrecker as per the above guidelines for rotational wrecker call-outs.
 - d. Prepare the necessary paperwork on supplemental forms with all pertinent information.
 - e. Cancel the vehicle from N.C.I.C. and any other agencies which were notified. This shall be done through the E911 Dispatch Center.

50.1.05 NOTIFICATION OF OWNER(S)

- A. After a vehicle is no longer needed for investigatory purposes and processing is complete, the investigating officer will notify the owner or legal representative of its release by:

1. Personal Contact

- a. The officer will complete a release form filling out all information authorizing the release after the person requesting the release produces satisfactory proof of ownership. Prior to release, the officer will check the wrecker log to ascertain if there is a hold placed on the vehicle by another officer(s).

2. Telephone Contact

- a. The officer will contact the owner concerning the impending release by telephone, and mail a copy of the release by certified mail.

- B. The departmental member authorizing or releasing any vehicle impounded by this department will complete a supplemental report.

50.1.06 AUTHORITY TO RELEASE (ON-SITE) A VEHICLE, UPON THE REQUEST OF THE OWNER/DRIVER TO A THIRD PARTY

- A. An officer may decide to release a vehicle to a third party based upon the following criteria, after having consulted with his/her immediate supervisor who, when possible, shall act as a witness.
- B. The officer may release to a third party after having observed all of the following:
1. Proof that the driver of the vehicle is in legal possession of the vehicle by examination of the vehicle registration, title, vehicle registration inquiry, N.C.I.C. inquiry, etc.
 2. The written consent form shall be completely filled out and signed by the owner/driver in order to transfer custody of the vehicle to a third party, thereby releasing the department and officer(s) from liability for the release of the vehicle.
 3. A signed statement from the third party accepting responsibility for the vehicle.
 4. The release form shall be made part of the report, as well as the name, address, and phone number(s) of the person to whom the vehicle was released.

50.1.07 ABANDONED VEHICLES ON PRIVATE PROPERTY

- A. Vehicles abandoned on private property will not be towed unless they are needed for evidentiary purposes involving a criminal offense, or they are being confiscated subject to forfeiture proceedings. All such impoundments will be authorized by a commanding officer.

50.1.08 TOWING POLICE VEHICLES

- A. If a police vehicle is wrecked or disabled and it is necessary to tow the vehicle, a supervisor is to be notified so that arrangements can be made to tow the vehicle. If he/she is unavailable, the next wrecker on the rotation list will be utilized.

50.1.09 ABANDONED VEHICLES ON PUBLIC/CITY PROPERTY

- A. Prior to towing any vehicle on public or city property, the following steps are required:

1. The officer/P.S.A. will make a stolen vehicle inquiry giving the communications dispatcher the VIN and license number, and will also attempt to contact the owner.
2. The officer/P.S.A. will determine if the vehicle is violating parking restrictions.
3. The officer/P.S.A. will determine if the vehicle is obstructing traffic, private or public driveway(s), or is a hazard to other motorists.
4. Laws concerning and identification of abandoned vehicles as per State of New Mexico and City of Espanola Municipal Ordinances will be followed prior to having any motor vehicle removed.
5. If the owner cannot be located, and the vehicle is not causing a safety hazard, a registered letter will be sent to the last known owner of the vehicle as verified by a registration check through the New Mexico Department of Motor Vehicles within 48 hours. After waiting a thirty- (30) day period if the vehicle has not been removed, it will then be deemed abandoned and will then be towed (per N.M. State Statute 66-1-4.1, A, 1,2,3, and 4). Once the vehicle is impounded, another registered letter will be sent notifying the owner of the whereabouts of his/her vehicle. Every attempt to contact the owner prior to removal will be made. Once the owner is located, this information will be given to the owner and a supplemental report will be submitted. The registration inquiry and a copy of the registered letter will be retained and become part of the official police report.

50.1.10 MISCELLANEOUS

The regulations as set by the City of Espanola relating to wrecker services within the jurisdictional boundaries of the Espanola Police Department and the City of Espanola with regard to the regulations

supervising towing services will be followed when dealing with any wrecker service or tow service within the City of Espanola, as well as any regulations promulgated by the State of New Mexico Public Regulations Commission.

Drafted (rgh) 06/09



Municipal Towing Guide

TRAA Municipal Towing Guide

The purpose of this guide is to assist governmental agencies in implementing or refining programs that provide for roadside services (such as tire changes, gas or minor repairs) or the orderly removal of disabled, illegally parked or abandoned vehicles from public or private property. These programs generally take the form of franchises, in which a single towing company is authorized to provide services within a certain geographic area or rotation programs, in which two or more towing companies are authorized to perform these services on a rotating basis.

Reasons for Forming a Towing Program

In many instances, governmental agencies form towing programs in response to safety concerns that arise when tow trucks race to the scenes of accidents in hopes of securing a tow. When this practice, which often referred to as "chasing", is outlawed, it becomes necessary to provide a means to dispatch tow trucks to accident scenes. They may also be formed in response to allegations of favoritism — and even illegal kickbacks — that arise when one or two towing companies secure all of the business of a particular governmental agency for reasons that do not appear to be based upon objective criteria. Lastly, they are often formed simply because they seem to be the right thing to do.

In some instances, governmental agencies award franchises to towing companies that place a high bid to perform towing services, a low bid for fees that will be charged to motorists, or a combination of both. TRAA disapproves of bidding for franchises because the practice tends to enrich a few at the expense of the many and often leads to consumer abuse, because the winning bidders often resort to financial chicanery in order to break even.

Nevertheless, many municipalities prefer franchise systems because of the convenience of dealing with a single tower for a given geographical area, as opposed to several towers who may participate in rotation plans. The most successful franchises place premiums on performance. Towers are selected on the basis of such factors as technical ability, size and diversity of fleets, ability to respond in a timely fashion and length of time in business. One municipality, for example, awards 20 points for each of five categories (upper level management, facility, employees, equipment, operations) and awards contracts to the companies with the highest raw score.

What Type of Rotation Program Works for You?

In the event that a governmental agency chooses to form a rotation program (as opposed to a franchise system), considerable thought should go into designing a program that best suits the needs of the agency. The simplest rotation program is one in which the qualified applicants respond to calls on a rotating basis. However, if the governmental agency covers a large territory (such as an entire county or a large city) it is often necessary to form zones in order to achieve desired response times. In some instances, it is found that rotating blocks of time work best (i.e.; Tower "A" responds to all calls

between 7 a.m. and 7 p.m. on Monday, Tower "B" responds to all calls between 7 p.m. on Monday and 7 a.m. on Tuesday, etc.). TRAA recommends that it is always best to work these details out with the prospective participants, as they often know as much as, if not more, than the governmental agency about volumes of calls, response times, traffic patterns, and other issues that must be dealt with if the program is to succeed.

It is then necessary to determine how many lists you need. In many instances, it is only necessary to form a "light duty" list (to tow vehicles of under 6,000 or 10,000 pounds) as there are not enough medium duty (10,000 to 26,000 pounds) and heavy duty (more than 26,000 pounds) towing companies in the area to warrant the formation of a second or third list. If it is necessary to form a second or third list, it is not uncommon to find that one list will suffice because most heavy duty towers also perform medium duty tows, as well. It may also be advisable to form a separate list roadside assistance calls, another list for accidents, and, even a third list for abandoned vehicles. Separate lists for accident calls are justifiable because of the greater degree of skill that it takes to clear an accident scene. Specialization in recovery work is becoming more prominent with the intervention of "quick response" and "incident management" programs.

Who Should Participate?

Whereas TRAA believes that all "qualified" towers should be able to participate in a towing program, it places a high premium on the term "qualified" and has found that most governmental agencies do not place sufficient emphasis on this most important element. In this regard, it should be noted that a court could find a towing company to be an "agent" of a governmental agency — regardless of the steps that the agency may take in an effort to shield itself from the towing company's actions. With this in mind, the following criteria should be examined:

Business Location: Although many towing programs require a towing company to respond to the scene of an accident or disablement within a specified period of time, TRAA recommends that the emphasis be placed upon safe driving time, as arbitrary time constraints often lead to secondary accidents. If necessary, zones should be created in order to insure that towers can respond within reasonable time frames, given the time of day and traffic conditions. It is not unreasonable, on the other hand to require a participant in a program to be on the road in a certain amount of time. It should be noted that it is unlawful in some states to discriminate against towing companies because they are not located within the jurisdiction that is creating a towing program.

In many instances — particularly in more metropolitan areas — it may also be necessary to insure that participants towing programs can properly care for vehicles that are in their possession. Accordingly, it is not unusual for programs to contain specific provisions concerning fenced-in storage and other security measures. In some instances, it is also necessary to determine if the participant's place of business is properly zoned for vehicle storage. The business location should also be accessible to motorists who wish to retrieve their vehicles.

Equipment: In order to participate in a "light duty" program, a towing company should own, at a minimum, one light duty wrecker with a Gross Vehicle Weight Rating (GVWR) of between 10,000 to 19,500 pounds and one car carrier (sometimes referred to as a flatbed or rollback) with a GVWR of at least 14,500 pounds. A car carrier is essential in today's market because many vehicles (i.e.; ones with all-wheel drive or low-slung air foils) cannot be towed with a conventional tow truck. A tow truck with a GVWR of between 19,501 to 29,999 pounds should be required for a medium duty program and a tow truck with a GVWR of over 30,000 pounds should be required for a heavy duty program.

Depending upon local circumstances, it is often necessary to require participants to own more than the bare minimum number of tow trucks and car carriers. For example, it is often necessary to deploy more than one wrecker to tractor trailer rollovers and other heavy duty wrecks. Franchise programs in which a tower is required to respond to all incidents within a certain geographical area may also require the deployment of more than one tow truck or car carrier at the same time. The requirement for participants in rotation programs to own larger fleets is also beneficial in multi-vehicle accidents, as it is preferable to have as few responders as possible at the scene. If the first responder is able to clear the entire scene, he or she should be permitted to do so.

Consideration must also be given to the types of equipment that a tower must own in order to participate in a towing program. Here, care must be taken to determine the needs of the program -- and needs vary for countless reasons. Urban, suburban and rural settings all have their unique characteristics. Whereas it may be sufficient to require a tower to own a 10,000 pound GVWR tow truck with an underlift for most city towing, it is often necessary to require a heavier truck with winching capabilities in rural settings. At times, it may be necessary to require towers to have smaller trucks (for parking garages) and larger trucks (i.e.; a rotator) for certain heavy duty recoveries. Support vehicles that contain air bags, welding equipment, chain saws, traffic cones and other essential recovery gear are also becoming more common on heavy duty programs.

Experience: It is not unusual to require a towing company to be in business for a period of time (usually one to three years) in order to be considered for participation in a towing program. Some jurisdictions require drivers who will be responding to their calls to be certified by TRAAⁱⁱ or receive training through an approved instructor.ⁱⁱⁱ Although it is beyond the scope of these guidelines, local governments should consider even more stringent standards for companies that participate in incident management activities. Some jurisdictions also require the owners and employees of towing companies to undergo criminal background checks.

Financial Security: All participants in towing programs should be required to provide the governmental agency with proof of workers compensation coverage (if their state mandates such coverage). Participants in a light duty program should also be required to maintain at least \$300,000, combined single limit, in liability insurance and \$50,000 in garage keeper's legal liability or "on-hook" coverage (the latter coverage is necessary because a vehicle under tow is not covered under a standard liability policy).

These amounts should be increased to \$750,000 and \$150,000 for medium and heavy duty rotation programs. Additional garage keepers' legal liability should be required in an amount that will cover all vehicles that are stored on a participant's lot. Liability policies should require the governmental agency to be notified if the terms and conditions of the policy are to lapse or change.

Rates: Governmental agencies have an obligation to consumers to insure that the rates that participants in towing programs charge are fair and reasonable. Although it is one of the few areas in which a governmental agency can dictate rates,^{iv} TRAA recommends that participants be required to post their shop rates with the agency. The agency could refuse to allow the company to participate if it deems the rates to be excessive and it could remove the company from the list if it fails to abide by the posted rates. If the agency elects to set rates, TRAA recommends that it do so in consultation with participants in the program. In this regard, it should also be noted that the Congressional debate that authorized governmental agencies to set rates cautioned that they must be "compensatory and reasonable."^v

Considerable thought is required to insure that rates cover the multitude of circumstances that can occur in the towing and recovery of vehicles. For example, towers should be compensated for using specialized equipment (i.e., dollies), disposables (i.e., oil removal agents), extended clean-up operations (which may involve additional labor and equipment) and stand-by time. They should also be compensated for administrative time and costs attendant to lien sales if customers fail to pay or if they are required to deal with abandoned vehicles. As a rule of thumb, most light duty programs have rate structures that are based upon hook-up and mileage charges and most heavy duty programs are on based upon hourly rates or price per pound, which is a fairly new, and sometimes controversial, concept. TRAA recommends that all rates be on an hourly basis.

The greatest temptation for a local government in setting rates is to base them upon the lowest common denominator. In many instances, they adopt rates that are authorized by motor clubs -- which, in the vast majority of instances, are unreasonably low. At other times, they adopt rates charged by "the cheapest guy in town." Unfortunately, it is most likely that the majority of persons who are engaged in towing do not know their own costs for doing business. It generally does not take long for most governmental agencies to identify the most professional and responsible towers who apply to participate in the program. Their opinions concerning rates should be given considerable weight because their participation in the program will help to insure its success.

Lastly, many jurisdictions set rates by commissioning an accounting firm or recognized professional in the towing business to conduct a cost study to determine such factors as overhead and profit margins that lead to a fair rate. Regardless as to how rates are established, they should be reviewed periodically to insure that they remain fair. In this regard, the towing industry is plagued by volatile cost factors, such as fuel and insurance, that can render a fair rate obsolete in a short period of time. The obsolescence

of rates can be mitigated if they are tied into the consumer price index (CPI) for a particular locality.

Credit Cards/Retrieval of Vehicles: Participants in towing programs may be required to honor at least two major credit cards; one of which should be a bank credit card. They should also be required to make themselves reasonably accessible to motorists who wish to claim their vehicles.

Maintenance of a Rotation List

One of the most basic requirements of a rotation list (or, for that matter, a franchise system) is that motorists should be provided with an opportunity to call his or her own towing company, if the conditions warrant providing this courtesy. In order to insure fairness to all participants, dispatchers should be required to maintain a record of all calls, and this record should be made available to participants, upon request. The most insidious detriment to a properly run rotation list involves favoritism shown to select towing companies by dispatchers or patrol officers. The agency should, therefore, actively guard against such an occurrence, which is generally spotted by unusual numbers of "owners' requests" by certain patrol officers. Policies on cell phone usage by patrol officers should also be initiated and closely monitored. As any police agency should know, even an appearance of impropriety can be damaging. It may also be illegal.^{vi}

Proper maintenance of a rotation list is also crucial when it comes time to discipline or suspend towing companies for overcharging, negligence or other wrongdoing, and failing to respond to calls in a timely fashion. Governmental agencies should enact guidelines concerning these issues and apply them evenly.

TRAA Will Help

TRAA will assist governmental agencies and towing companies in tailoring towing programs to meet their particular needs. For further information, contact: Harriet Cooley, Executive Director, Towing and Recovery Association of America, 2121 Eisenhower Avenue, Alexandria, Virginia 22314. Tel: (800) 728-0136 FAX: (703) 684-6720; e-mail: towserver@aol.com

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- i. Sec New York State General Municipal Law §80 and Wharram v. City of Utica, 56 NY2d 733 (1982)
 - ii. TRAA has a three-level certification process. Level I applies to light duty towing, Level II applies to medium and heavy duty towing and Level III applies to heavy duty recovery specialists
 - iii. TRAA and most state towing associations maintain lists of approved instructors.
 - iv. 49 U.S.C. §14501 (c) (1); City of Columbus v. Ours Garage, 536 U.S. 424 (2002)
 - v. Congressional Record, 104th Congress, 1st Session at page H15601
 - vi. In O'Hare Truck Service v. City of Northlake, III, 518 U.S.712 (1996), the U.S. Supreme Court ruled that it is illegal to expel a participant from a rotation list on the grounds that he supported a Sheriff's political rival.

Stats Cover Page 2016

March

March 2016	Current	Previous Month February 2016	This Time Last Year March 2015
Calls For Service	1,386	1,297	1,249
Reports (Number of Case #'s Pulled. Includes MVC's)	236	245	188
Motor Vehicle Crashes (MVC's)	58	53	46
Arrests	80	92	75
DWI's	7	4	3
Burglaries	18	10	9
Panhandling	0	0	4
Escorts	23	11	5
Citations*	251	257	217
Reports Pending	15	29	8
CID Cases	5	7	14
Cases Referred, Reviewed & Filed by CID	11	15	13

*Only citations filed through Municipal & Magistrate Court (No Warnings)

3 Case number(s) burned or accidently assigned by Dispatch

Badge #	Officer	Calls*	Arrests	Burglary Arrests	Citations	PA**	DWI	O/I	MVC
1	Richard L. Gallegos	17							
2	-	-	-	-	-	-	-	-	-
3	Daniel Espinoza	4							
4	Michelle Ortega	71	5		10	\$265.00	1	8	1
5	Danny Pacheco	89	7		3			10	
6	Jeremy Apodaca	129	5		8	\$430.00		10	4
7	Robert Vigil	10			1	\$100.00		2	
8	Greg Esparza	166	1		42	\$1,085.00		10	
9	Richard Trujillo	101	5		15	\$630.00		8	
10	Idalee Lopez	70	3		8			8	1
11	Jason Gallegos	53	3		0			7	1
12	Cory Atencio	1	-	-	-	-	-	-	-
13	Albert Raei	83	5		7	\$100.00	1	12	2
14	Brandon Archuleta	115	8	1	7	\$465.00	1	15	4
15	Byron Abeyta	91	4		8	\$525.00	1	9	5
16	Anthony Armijo	224	14		51	\$2,605.00		17	1
17	Manuel Romero	120	5		5	\$100.00		22	2
18	Paul Steven Ocana	102	3		8	\$100.00	2	7	2
19	Peter Chavez	195	10		21	\$395.00	1	28	5
20	-	-	-	-	-	-	-	-	-
21	-	-	-	-	-	-	-	-	-
CI-1	George Martinez	26	1		3			2	
CI-2	Eric Gallant	26	1		0			3	
S-1	Karl Romero	68	-	-	27	\$1,680.00	-	-	14
S-2	Shawn P. Madrid	45	-	-	10	\$530.00	-	-	16
AC-1	Tommy Gurule	45	-	-	17	\$460.00	-	-	-
Total		1,851	80	1	251	\$9,470.00	7	178	58

*Includes 465 calls for assistance/backup

**Not actual dollar amount collected by Municipal Court.

CITY OF ESPAÑOLA DEPARTMENT OF PUBLIC SAFETY
"2016" CID CASES

CID #:	CASE #:	CLASSIFICATION	DOI:	SUSPECT(S):	ASSIGNED TO:	DISPOSITION:
<i>MARCH 2016</i>						
03-16-0001	16-02-225	Burglary (Commercial)/ CD to Property	02/27/2016	PS:Fernando L.Mtz. PS:Jose Montoya	G. Martinez	Case Inactive (03/07/2016)
03-16-0002	16-03-113	Agg. Fleeing/Reckless Driving/Red Light Viol./ Larceny	03/15/2016	Dale Ortiz	G. Martinez	Case Sent to RA D.A.'s 03/24/16)
03-16-0003	16-02-219	B & E/Burglary (Dwelling)/Larceny	02/25/2016	Unknown	E. Gallant	CLOSED (Lack of Vic. Coop./ Lack of evidence /Insuff. Evidence 03/28/2016)
03-16-0004	16-03-097	Trafficking Cont. Sub./ Poss. of Marijuana/Poss. of a Firearm/Rec. Stolen Property/Poss. of Drug Para.	03/14/2016	Jose A. Moreno	E. Gallant	Case Emailed to SF D.A.'s - Estevan Sanchez 04/18/2016)
03-16-0005	16-02-178	Burglary (Commercial)/ CD to Property	02/21/2016	Jeramy Mtz./ Cory Hoover/ Ian Gutierrez	E. Gallant	CLOSED (No Leads/Lack of Vic. Coop./Lack of Evid. 03/28/16

TOTAL = 5 CID CASES HANDLED FOR THE MONTH OF MARCH 2016

Det. George Martinez handled 2 CID Cases

Det. Eric Gallant handled 3 CID Cases

***TOTAL CID CASES REFERRED/REVIEWED/FILED BY CID: 11**

Burglaries 2016
March

Burglaries	
Dwelling	10
Agg. Burglary	1
Commercial	3
Vehicle	3
Poss. Of Burglary Tools	0
Breaking and Entering	1
Total	18

Business Name:

Santa Fe Toms	1
Legacy Mobile Homes	1
Alonso's Radiator Shop	1

Booking Number	Arrestee Name	Last Name	First Name	Booking Date	Charge Code	ICR	Charge Description
ECPDPD2016000204	OCANA, PAUL STEVEN J	HERNANDEZ	NICOLE	3/1/2016 1:09	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000205	ARMUO, ANTHONY E	SALAZAR	CHANTELLE	3/1/2016 15:26	23C-01	23C	Shoplifting
ECPDPD2016000207	ROMERO, MANUEL R	OCHOA	MANUEL	3/2/2016 5:58	13B-01	13B	Assault
ECPDPD2016000208	ABEYTA, BYRON M	MONDRAGON	ROBERT	3/2/2016 8:12	26C-01	26C	Concealing Identity
					90Z-086	90Z	Magistrate Misdemeanor Warrant
					90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000210	ROMERO, MANUEL R	GARCIA MARQUEZ	SONYA	3/2/2016 22:33	90J-01	90J	Criminal Trespass / Trespass of Real Property
ECPDPD2016000211	ABEYTA, BYRON M	PACHECO LUJAN	ANGEL	3/3/2016 5:21	90Z-085	90Z	Magistrate Felony Warrant
ECPDPD2016000212	RAEL, ALBERT A	TERRY	ANDREW	3/3/2016 5:28	13A-02	571	Aggravated Assault against a Household Member
					520-06	520	Negligent use of a Deadly Weapon
ECPDPD2016000213	PACHECO, DANNY	THOMPSON	CONNOR	3/3/2016 16:44	90Z-174	90Z	Probation Violation
ECPDPD2016000214	CHAVEZ, PETER	DASILVA	KIERAN	3/3/2016 17:05	90D-01	90D	Driving While Under the Influence
					90X-033	90X	Careless Driving
ECPDPD2016000215	ORTEGA, MICHELLE	HAWLEY	SAMMY	3/4/2016 0:53	23C-01	23C	Shoplifting
ECPDPD2016000216	PACHECO, DANNY	SANCHEZ	CARLOS	3/4/2016 13:05	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000217	APODACA, JEREMY	NEWMAN	ASPEN	3/4/2016 12:53	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000218	PACHECO, DANNY	ARCHULETA	ONESIMO	3/4/2016 18:48	35A-01	383	Controlled Substances; Possession Prohibited
					35B-01	357	Possession of Drug Paraphernalia
ECPDPD2016000219	PACHECO, DANNY	CATA	TERESA	3/4/2016 17:03	35A-01	383	Controlled Substances; Possession Prohibited
					35B-01	357	Possession of Drug Paraphernalia
ECPDPD2016000220	TRUJILLO, RICHARD M	VIGIL	LEON	3/5/2016 3:58	13B-07	53D	Assault Upon Peace Officer
					90C-01	90C	Disorderly Conduct
					90Z-121	90Z	Resisting, Evading, or Obstructing an Officer
					90Z-179	90Z	Arrest Without Warrant
ECPDPD2016000221	ESPARZA, GREG	HOFFMAN	BRANDI	3/5/2016 16:32	23C-01	23C	Shoplifting
					90J-01	90J	Criminal Trespass / Trespass of Real Property
ECPDPD2016000222	ROMERO, MANUEL R	SHANIN	KHOMEINI	3/5/2016 17:21	90C-01	90C	Disorderly Conduct
ECPDPD2016000223	ARMUO, ANTHONY E	GONZALES	MICHAEL	3/7/2016 11:46	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000224	ARMUO, ANTHONY E	TORRES	NAOMI	3/7/2016 10:54	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000225	LOPEZ, DALEE M	GARCIA	SHYANN	3/7/2016 16:48	23C-01	23C	Shoplifting
ECPDPD2016000226	ABEYTA, BYRON M	MONARCO	SHIRELL	3/8/2016 5:19	90D-02	90D	Aggravated Driving While Under the Influence
ECPDPD2016000227	ARCHULETA, BRANDON M	SANCHEZ	ELI	3/8/2016 5:25	90C-01	90C	Disorderly Conduct
ECPDPD2016000228	TRUJILLO, RICHARD M	RENDON	LORIE	3/8/2016 21:33	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000229	ROMERO, MANUEL R	SHANIN	KHOMEINI	3/5/2016 16:57	90C-01	90C	Disorderly Conduct
ECPDPD2016000230	ORTEGA, MICHELLE	MARLOW	JOSHUA	3/10/2016 0:59	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000231	ARMUO, ANTHONY E	VIGIL	JOSEPH	3/10/2016 17:58	90Z-011	305	APD Felony Warrant
ECPDPD2016000232	RAEL, ALBERT A	MARTINEZ	RAYMOND	3/10/2016 23:07	90C-01	90C	Disorderly Conduct
ECPDPD2016000233	CHAVEZ, PETER	VARELA	FLOR	3/10/2016 23:23	90F-02	574	Abandonment or Abuse of a Child
ECPDPD2016000234	CHAVEZ, PETER	THOMPSON	GARLAND	3/10/2016 23:53	90X-027	90X	Driving While License Suspended or Revoked
ECPDPD2016000235	ARCHULETA, BRANDON M	TRUJILLO	VANESSA	3/11/2016 1:19	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000236	ARCHULETA, BRANDON M	SEAY	MATTHEW	3/11/2016 5:49	13B-10	13B	Battery
ECPDPD2016000238	LOPEZ, DALEE M	MUNIZ	JOSEPHINE	3/11/2016 13:02	90Z-030	305	District Felony Warrant
ECPDPD2016000239	ARMUO, ANTHONY E	BACA	EVERETT	3/11/2016 13:14	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000240	ARMUO, ANTHONY E	GALLEGOS	ALONZO	3/11/2016 18:33	90Z-086	90Z	Magistrate Misdemeanor Warrant

Book Number	Arrestee Name	Arresting Officer	Plate Number	Book Number	Arrest Date	Charge Code	Charge Description
ECPDPD2016000241	RAEL,ALBERT A	CORRIZ	RUBEN	3/11/2016 21:59	23C-01	23C	Shoplifting
					26C-01	26C	Concealing Identity
					90Z-030	305	District Felony Warrant
					90Z-086	90Z	Magistrate Misdemeanor Warrant
					90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000242	CHAVEZ,PETER	DURAN	ANA	3/13/2016 14:06	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000243	APODACA,JEREMY	ARCHULETA	JASON	3/13/2016 14:25	13A-08	572	Aggravated Battery against a Household Member
ECPDPD2016000244	CHAVEZ,PETER	DURAN	ADRIAN	3/12/2016 23:59	220-01	220	Breaking and Entering
					290-01	290	Criminal Damage to Property Less Than \$1,000.00
					90C-01	90C	Disorderly Conduct
ECPDPD2016000245	CHAVEZ,PETER	TRUJILLO	FABIAN	3/14/2016 11:18	90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000248	APODACA,JEREMY	BOEHM	JOANN	3/14/2016 15:24	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000249	APODACA,JEREMY	FLORES	ANTONIO	3/14/2016 17:27	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000250	GALLANT,ERIC A	MORENO	JOSE	3/15/2016 15:45	35A-38	35A	Trafficking Controlled Substance; Violation
					35B-01	357	Possession of Drug Paraphernalia
					520-10	58M	Possession of Deadly Weapon or Explosive by Prisoner
					90Z-C85	90Z	Magistrate Felony Warrant
					35A-32	35A	Trafficking - Heroin
					280-09	281	Receiving Stolen Property (< \$250.00)
					35A-35	35A	Trafficking - Methamphetamine and its Salts and Isomers
					35A-20	35X	Possession of Marijuana; > One Ounce < Eight Ounces
ECPDPD2016000251	MARTINEZ,GEORGE	ORTIZ	DALE	3/15/2016 22:50	280-04	232	Larceny (> \$500.00 < \$2,500.00)
					90Z-006	58K	Aggravated Fleeing a Law Enforcement Officer
					90Z-086	90Z	Magistrate Misdemeanor Warrant
					90Z-159	90Z	Vehicles Entering Stop or Yield Intersection
					90X-005	90X	Reckless Driving
ECPDPD2016000253	ARCHULETA,BRANDON M	PACHECO	LEONARD	3/17/2016 0:53	200-02	222	Aggravated Burglary
					23D	23D	Larceny/Theft From a Building
					90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000254	CHAVEZ,PETER	ESFANDI	MICHELLE	3/17/2016 12:23	90Z-126	90Z	Safety Belt Use Required
					90X-027	90X	Driving While License Suspended or Revoked
ECPDPD2016000255	APODACA,JEREMY	CAMARGO	IRENE	3/17/2016 16:10	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000256	PACHECO,DANNY	GALLEGOS	BRUCE	3/18/2016 10:51	90Z-174	90Z	Probation Violation
ECPDPD2016000257	GALLEGOS,JASON	VIGIL	LEON	3/18/2016 21:26	240-04	240	Unlawful Taking of a Motor Vehicle
					290-02	290	Criminal Damage to Property More Than \$1,000.00
					90Z-179	90Z	Arrest Without Warrant
ECPDPD2016000258	ARMUO,ANTHONY E	GARCIA	RAYMOND	3/19/2016 16:05	90Z-086	90Z	Magistrate Misdemeanor Warrant
					90Z-095	90Z	Municipal Misdemeanor Warrant
ECPDPD2016000259	ROMERO,MANUEL R	GARCIA	JOHN	3/19/2016 16:31	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000260	ARMUO,ANTHONY E	LOPEZ	ALEXANDER	3/19/2016 18:16	90X-005	90X	Reckless Driving
					90X-027	90X	Driving While License Suspended or Revoked
ECPDPD2016000261	ARMUO,ANTHONY E	ABEYTA	JOHNATHAN	3/20/2016 16:20	90Z-086	90Z	Magistrate Misdemeanor Warrant

Arrest Number	Arresting Officer	Offense	Arrested Person	Arrest Date	Arrest Time	Charge Code	Charge Description
ECPDPD2016000262	ABEYTA,BYRON M	VOSS	NICOLE	3/21/2016	16:11	23C-01	23C Shoplifting
						90J-01	90J Criminal Trespass / Trespass of Real Property
						90Z-086	90Z Magistrate Misdemeanor Warrant
ECPDPD2016000263	ARMUO,ANTHONY E	VIGIL	DAVID	3/21/2016	15:51	13B-16	58P Battery Upon Peace Officer
						90Z-017	603 Attempt to Commit a Felony
						90Z-121	90Z Resisting, Evading, or Obstructing an Officer
						13A-18	53A Disarming a Peace Officer
						13A-17	53C Assault with Intent to Commit Violent Felony Upon Peace Officer
ECPDPD2016000264	RAEL,ALBERT A	REYNOLDS	ADRIAN	3/21/2016	23:01	90Z-095	90Z Municipal Misdemeanor Warrant
ECPDPD2016000265	ARCHULETA,BRANDON M	CASAS	FAITH	3/21/2016	23:31	90Z-086	90Z Magistrate Misdemeanor Warrant
ECPDPD2016000266	CHAVEZ,PETER	HOLGUIN	CRYSTAL	3/22/2016	15:48	90Z-095	90Z Municipal Misdemeanor Warrant
ECPDPD2016000268	ORTEGA,MICHELLE	MARIEN	DEVAN	3/22/2016	23:58	90Z-095	90Z Municipal Misdemeanor Warrant
ECPDPD2016000269	CHAVEZ,PETER	TORRES	MICHAEL	3/23/2016	18:53	23C-01	23C Shoplifting
ECPDPD2016000270	ORTEGA,MICHELLE	VIGIL	DESTNEY	3/24/2016	3:26	90D-01	90D Driving While Under the Influence
						90Z-157	90Z Vehicle Subject to Registration
						90X-033	90X Careless Driving
						90X-041	90X Display of Current Valid Registration Plate
ECPDPD2016000271	ARMUO,ANTHONY E	MARTINEZ	ADONISE	3/24/2016	12:39	90Z-121	90Z Resisting, Evading, or Obstructing an Officer
ECPDPD2016000272	ARMUO,ANTHONY E	BACA	JOSEPH	3/24/2016	17:14	90Z-085	90Z Magistrate Felony Warrant
ECPDPD2016000273	ORTEGA,MICHELLE	EBELACKER	JEROME	3/25/2016	14:43	90X-027	90X Driving While License Suspended or Revoked
ECPDPD2016000274	ARMUO,ANTHONY	QUIHUIS	CRISTOBAL	3/25/2016	20:16	90Z-086	90Z Magistrate Misdemeanor Warrant
ECPDPD2016000275	ARCHULETA,BRANDON M	CASIAS	JEROME	3/25/2016	20:30	13B-10	13B Battery
						90C-01	90C Disorderly Conduct
ECPDPD2016000276	OCANA,PAUL STEVEN J	LEYBA	RUBEL	3/25/2016	20:56	90D-01	90D Driving While Under the Influence
						90Z-011	305 APO Felony Warrant
ECPDPD2016000277	ARCHULETA,BRANDON M	MARTINEZ	IESHA	3/26/2016	2:50	90D-01	90D Driving While Under the Influence
ECPDPD2016000279	CHAVEZ,PETER	MARTINEZ	DAVE	3/26/2016	15:31	90Z-095	90Z Municipal Misdemeanor Warrant
ECPDPD2016000280	OCANA,PAUL STEVEN J	ZAMORA	CARLOS	3/26/2016	20:19	90D-01	90D Driving While Under the Influence
						90Z-158	90Z Vehicles Entering Stop or Yield Intersection
						90X-027	90X Driving While License Suspended or Revoked
						90X-031	90X Alcoholic Beverages in Open Containers
ECPDPD2016000281	ARCHULETA,BRANDON M	SANCHEZ	GERALD	3/27/2016	16:40	23C-01	23C Shoplifting
ECPDPD2016000282	GALLEGOS,JASON	HALEY	KYANNA	3/27/2016	19:47	23C-01	23C Shoplifting
ECPDPD2016000283	GALLEGOS,JASON	MARTINEZ	REANNA	3/27/2016	21:01	23C-01	23C Shoplifting
ECPDPD2016000284	TRUJILLO,RICHARD M	ROMERO	DYLAN	3/27/2016	22:34	90Z-086	90Z Magistrate Misdemeanor Warrant
ECPDPD2016000285	TRUJILLO,RICHARD M	TRUJILLO	MATTHEW	3/28/2016	0:18	35A-16	35T Possession of Heroin
						90Z-086	90Z Magistrate Misdemeanor Warrant
ECPDPD2016000286	RAEL,ALBERT A	MARTINEZ	TIMOTHY	3/25/2016	22:03	35A-01	383 Controlled Substances; Possession Prohibited
						90D-02	90D Aggravated Driving While Under the Influence
						90Z-011	305 APO Felony Warrant
						90Z-121	90Z Resisting, Evading, or Obstructing an Officer
						90X-003	90X Accident Involving Damage to Vehicle

Booking Number	Arresting Officer	Last Name	First Name	Booking Date	Charge Code	ICD	Charge Description
					90X-027	90X	Driving While License Suspended or Revoked
					90X-031	90X	Alcoholic Beverages in Open Containers
ECPDPD2016000287	PACHECO,DANNY	CHAVEZ	FRANCINE	3/28/2016 16:57	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000288	PACHECO,DANNY	MONTOYA	LUCAS	3/28/2016 18:29	13B-12	572	Battery against a Household Member
					90Z-085	90Z	Magistrate Felony Warrant
ECPDPD2016000289	ARMUO,ANTHONY	ZAMBRANO-PERALES	PEDRO	3/29/2016 18:53	23D	23D	Larceny/Theft from a Building
					35A-17	35X	Possession of Marijuana
					90Z-051	58C	Escape from Jail
					90Z-121	90Z	Resisting, Evading, or Obstructing an Officer
ECPDPD2016000290	LOPEZ,IDALEE M.	CATA	ROSANNA	3/30/2016 16:46	90Z-086	90Z	Magistrate Misdemeanor Warrant
ECPDPD2016000292	TRUJILLO,RICHARD M	PADILLA	JOSEPH	3/31/2016 19:31	90Z-011	305	APC Felony Warrant

Officer	# of Arrests	Burglary Arrest	DWI Arrest
Richard Gallegos			
Daniel Espinoza			
Michelle Ortega	5		1
Danny Pacheco	7		
Jeremy Apodaca	5		
Robert Vigil			
Greg Esparza	1		
Richard Trujillo	5		
Idalee Lopez	3		
Jason Gallegos	3		
Cory Atencio			
Albert Rael	5		1
Brandon Archuleta	8	1	1
Byron Abeyta	4		1
Anthony Armijo	14		
Manuel Romero	5		
Paul Steven Ocana	3		2
Peter Chavez	10		1
George Martinez	1		
Eric Gallant	1		
TOTAL	80	1	7

Espanola Fire Department

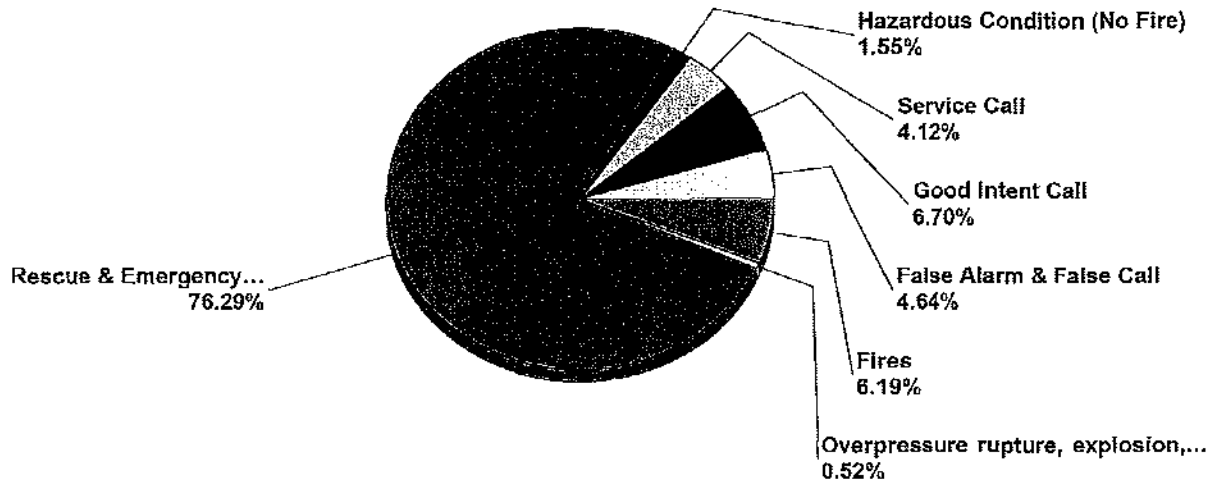
Espanola, NM

This report was generated on 5/2/2016 11:12:45 AM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 03/01/2016 | End Date: 03/31/2016



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	12	6.19%
Overpressure rupture, explosion, overheating - no fire	1	0.52%
Rescue & Emergency Medical Service	148	76.29%
Hazardous Condition (No Fire)	3	1.55%
Service Call	8	4.12%
Good Intent Call	13	6.70%
False Alarm & False Call	9	4.64%
TOTAL	194	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Detailed Breakdown by Incident Type		
INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	3	1.55%
118 - Trash or rubbish fire, contained	3	1.55%
135 - Aircraft fire	1	0.52%
142 - Brush or brush-and-grass mixture fire	2	1.03%
150 - Outside rubbish fire, other	1	0.52%
151 - Outside rubbish, trash or waste fire	1	0.52%
154 - Dumpster or other outside trash receptacle fire	1	0.52%
251 - Excessive heat, scorch burns with no ignition	1	0.52%
320 - Emergency medical service, other	1	0.52%
321 - EMS call, excluding vehicle accident with injury	129	66.49%
322 - Motor vehicle accident with injuries	9	4.64%
324 - Motor vehicle accident with no injuries	8	4.12%
352 - Extrication of victim(s) from vehicle	1	0.52%
412 - Gas leak (natural gas or LPG)	1	0.52%
481 - Attempt to burn	2	1.03%
500 - Service Call, other	1	0.52%
511 - Lock-out	1	0.52%
550 - Public service assistance, other	2	1.03%
551 - Assist police or other governmental agency	1	0.52%
561 - Unauthorized burning	3	1.55%
611 - Dispatched & cancelled en route	13	6.70%
700 - False alarm or false call, other	5	2.58%
715 - Local alarm system, malicious false alarm	2	1.03%
732 - Extinguishing system activation due to malfunction	1	0.52%
746 - Carbon monoxide detector activation, no CO	1	0.52%
TOTAL INCIDENTS:	194	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.

Citation Violations - By Officer
Violation Date: 03/01/2016 - 03/31/2016

<i>Officer</i>	<i>Citation Violation</i>	<i>Warning Violation</i>	<i>Male</i>	<i>Female</i>	<i>Unk</i>	<i>White</i>	<i>Black</i>	<i>Indian</i>	<i>Asian</i>	<i>Unk</i>	<i>Hisp</i>	<i>NonHisp</i>
ABEYTA,BYRON M	9	0	6	3	0	0	0	0	0	9	0	9
APODACA,JEREMY	8	0	6	2	0	0	0	0	0	8	1	7
ARCHULETA,BRANDON	11	0	8	3	0	0	0	0	0	11	1	10
ARMDO,ANTHONY E.	55	0	34	19	2	0	0	0	0	55	2	53
BROYLES,JEROME	7	0	0	0	7	0	0	0	0	7	0	7
CHAVEZ,PETER	26	0	8	18	0	0	0	0	0	26	2	24
ESPARZA,GREG P	44	0	27	14	3	1	0	0	0	43	1	43
GASCA,ANNABELLE DPS	1	0	1	0	0	0	0	0	0	1	0	1
GURULE,TOMMY J	17	0	3	14	0	0	0	0	0	17	4	13
LOPEZ,IDA LEE	9	0	5	4	0	0	0	0	0	9	0	9
MADRID,SHAWN	10	0	4	4	2	0	0	0	0	10	0	10
OCANA,PAUL STEVEN	4	0	4	0	0	0	0	0	0	4	0	4
ORTEGA,MICHELLE	7	0	3	4	0	0	0	0	0	7	0	7
PACHECO,DANNY	3	0	3	0	0	0	0	0	0	3	0	3
RAEL,ALBERT A	3	0	2	1	0	0	0	0	0	3	0	3
ROMERO,KARL	27	0	9	6	12	0	0	0	0	27	1	26
ROMERO,MANUEL R.	8	0	5	3	0	0	0	0	0	8	3	5
TRUJILLO,RICHARD M	18	0	13	4	1	0	0	0	0	18	0	18
VIGIL,ROBERT	1	0	1	0	0	0	0	0	0	1	0	1
TOTAL	268	0	142	99	27	1	0	0	0	267	15	253
	Total=	268	Total=	268		Total=	268				Total=	268

Citation Violations - By Violation Type

Violation Date: 03/01/2016 - 03/31/2016

<i>Violation</i>	<i>Citation Violation</i>	<i>Warning Violation</i>	<i>Male</i>	<i>Female</i>	<i>Unk</i>	<i>White</i>	<i>Black</i>	<i>Indian</i>	<i>Asian</i>	<i>Unk</i>	<i>Hisp</i>	<i>NonHisp</i>
PARKING IN A RESTRICTED AREA	2	0	1	0	1	0	0	0	0	2	0	2
SCREENING & STORAGE	1	0	0	0	1	0	0	0	0	1	0	1
TOTAL	268	0	142	99	27	1	0	0	0	267	15	253